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March 18, 2008

Hon. Sandra L. Townes  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: James Maloney v. County of Nassau, et al.  
CV-03-4178 (SLT) (MLO)

Dear Judge Townes:

This Office represents retired Nassau County Police Chief Joan Yale and former Nassau County District Attorney Denis Dillon, the two remaining Nassau County defendants in the above-referenced action. This letter is sent in response to plaintiff's counsel's letter dated March 17, 2008 wherein he alleges that discovery is being held up due to defendant Seiden's attorney not signing a stipulation authorizing the release of plaintiff Maloney's sealed criminal records. For the reasons set forth below, it is requested that the Court deny plaintiff's request for relief.

First, this issue is moot because Mr. Seiden's counsel, Richard Signorelli, executed the stipulation yesterday and the stipulation has been sent to the Nassau County Police Department for immediate processing.

Second, and just to apprise this Court, when Mr. Signorelli notified the undersigned of his intention to withdraw as counsel in this matter and his consequent lack of authorization to sign the stipulation, the stipulation containing Mr. Serby's signature and that of the undersigned was forwarded to the Police Department with the proviso that the documents would only be disclosed to the County and Mr. Serby unless and until a representative of defendant Seiden executed the stipulation.

In light of the above, it is respectfully requested that this Court deny counsel Serby's request.

Respectfully submitted,

Liora M. Ben-Sorek (LMB 1971)  
Deputy County Attorney

cc: Victor Serby, Esq. (Via ECF)  
Richard Signorelli, Esq. (Via ECF)  
Lori Pack, Esq. (Via ECF)